



Department  
for Education

# Exemplar academy pay policy 2

February 2014

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This is an exemplar academy pay policy, based upon a real policy in use by an academy. It illustrates how academy freedoms can be used and can inform your academy's pay policy.

This policy was formulated for a primary academy with a capacity of around 400. It gained academy status on 1 August 2011, and in its most recent full Ofsted inspection the school was rated as Outstanding.

This policy clearly states that the academy is taking advantage of its freedoms, and has chosen to go outside the School Teachers' Pay and Conditions Document (STPC) to take full account of the school improvement plan.

The policy clearly sets out the basis on which the different teaching staff are paid, and the basis on which their pay will increase. It is also very clear about the circumstances in which other payments will, or will not, be made. It is also clear on ownership, review date, and that the trustees have consulted on the policy.

## **[Insert school name] pay policy**

Date Adopted: [xxx]

Author/owner: [xxx]

Anticipated Review: [xxx]

### **1. Introduction**

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) (The Document) and statutory guidance.

This policy will be used in conjunction with the adopted Appraisal Policy and with the Document and guidance. In the event of any inadvertent contradictions, the Document and guidance will take precedence. This policy will be reviewed each year, or when other changes occur to the Document, to ensure that it reflects the latest legal position.

The recognised Trade Unions/Professional Associations have been consulted on this policy at regional level. The relevant body will ensure that their final adopted policy has been through appropriate consultation with both staff and their local representatives.

All procedures for determining pay will be consistent with the principles of public life - objectivity, openness and accountability. All pay related decisions are taken in compliance with

- The Equality Act 2010;
- The Employment Rights Act 1996;
- The Employment Relations Act 1999;
- The Employment Act 2002;

- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- The Employment Act 2002 (Dispute Resolution) Regulations; and
- The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

In adopting this policy, the aim of [Insert school name] is to:

- maximise the quality of teaching and learning;
- support the relevant improvement/development plan and recent self-evaluation;
- support the recruitment and retention of a high quality teacher workforce;
- enable the school to recognise and reward teachers appropriately for their contribution to the school;
- ensure that decisions on pay are managed in a fair, just and transparent way.

Pay decisions at [Insert school name] will be made by [xxx].

## **2. Pay Reviews**

The process for making decisions on the pay of teachers within the academy is as follows.

The Resources Committee will ensure that every teacher's salary is reviewed annually with effect from 1 September and no later than 31 October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

Where a pay determination leads to or may lead to the start of a period of safeguarding, those affected must receive the required notification as soon as possible and no later than one month after the date of the determination.

## **3. Pay Determinations on Appointment**

The following arrangements will be applicable to any determinations made regarding an appointment from 1st September 2013.

Where a position within the academy becomes vacant the Resources Committee will review the existing pay range (if applicable) prior to the advertisement to establish whether this is appropriate for the post in question.

Pay determinations to all posts and/or pay ranges will be made taking the following into consideration (remove any which will not be considered):

- the teacher's existing pay point, though this will not automatically be matched if joining from another school
- the nature and/or requirements of the post
- the level of qualifications, skills and experience required for the post
- the level of qualifications, skills and/or experience gained
- market conditions
- the wider school/college/service context

### **3.1 Pay Range for the Head Teacher**

The Individual School Range (ISR) will be calculated in accordance with paragraphs 7-11 of the 2013 document.

The ISR for the Head Teacher has been set at L21 – L27

On appointment a Head Teacher, will be paid a salary equal to the amount for one of the bottom four points of the ISR.

### **3.2 Pay Range for Deputy Headteachers and Assistant Headteachers**

Deputy Headteacher and Assistant Headteacher pay ranges will be calculated in line with paragraph 12-13 of the 2013 Document.

The pay range for the Deputy Headteacher has been set at L13 – L17.

The pay range for the Assistant Headteachers(s) has been set at L5 – L9

On appointment, Deputy or Assistant Headteachers will be paid a salary equal to the amount specified for one of the bottom three points of the five point range.

### **3.3 Main Pay Range for Teachers**

The main pay range within this academy is a six point range with reference points as detailed on the following table:

<b>Reference points</b>	<b>Annual salary*</b>
1	£21, 804
2	£23,528
3	£25,420
4	£27,375

5	£29,532
6	£31,868

### 3.4 Upper Pay Range for Teachers

The upper pay range within this academy is– A three point range with reference points as detailed on the following table

Reference points	Annual salary*
1	£34,523
2	£35,801
3	£37,124

A teacher will be paid on the upper pay range where they:

- a) were employed as a post-threshold (upper pay spine) teacher in this academy under the 2012 or earlier Document; or
- b) applied to be paid as a post-threshold teacher in that school under the 2012 document, that application was successful, and the teacher was due to move onto the upper pay scale on 1 September 2013; or
- c) were a member of the leadership group, employed as an Advanced Skills Teacher or an Excellent Teacher in this academy under the 2012 or earlier Document; or
- d) apply to the academy to be paid on the upper pay range and their application is successful.

The teacher will not be paid on the pay range for leading practitioners or on the pay spine for the leadership group.

In the case of teachers who are paid on the upper pay range by virtue of sub paragraphs a), c), and d), the relevant body must determine where within the upper pay range the teacher's annual salary will be fixed. In the case of teachers who are paid on the upper pay range by virtue of b), payment is to be made on the minimum of the upper pay range.

### 3.5 Pay Range for Leading Practitioners

It is not the intention of the Governing Body to create a leading practitioner role at this time but the Governing Body will keep this under review

### 3.6 Pay Range for Unqualified Teachers

The pay range for Unqualified Teachers within this academy consists of: - a six point range with reference points as detailed on the following table:

Reference points	Annual salary*
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1	£15,975
2	£17,834
3	£19,692
4	£21,549
5	£23,408
6	£25,266

#### 4. Pay Progression Based on Performance

All pay determinations in relation to progression which are effective from 1st September 2013 will be made in line with the academy's Pay Policy for September 2012.

The following arrangements will be applicable to any pay determinations relating to progression effective on or after 1st September 2014.

In this academy all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the Academy's Appraisal Policy.

Decisions regarding pay progression will be made only with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.

Pay progression is not automatic and it will be possible for a 'no progression' determination to be made without recourse to the capability policy. However, those subject to formal capability proceedings during the appraisal review period will be deemed unsatisfactory performers and will not therefore meet the requirements for pay progression.

To be fair and transparent, assessments of performance will be properly rooted in evidence. Please see the academy Appraisal Policy for further details.

The Governing Body recognises its responsibilities under relevant legislation including the Equality Act 2010, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and ensures that all pay related decisions are taken equitably and fairly in compliance with statutory requirements.

Pay decisions take account of the resources available to the academy. The academy staffing structure supports the improvement plans. The Governing Body exercises its discretionary powers using fair, transparent and objective criteria in order to secure a consistent approach in academy pay decisions.

In this academy, judgments of performance will be made by evidence based assessment against objectives and the relevant teachers' standards.

The evidence that will be used to inform pay progression or otherwise is detailed in the Appraisal Policy.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether to accept a pay recommendation will be made by the Committee having regard to the appraisal report and taking into account advice from the Head Teacher and Senior Leadership Team. The Resources Committee will ensure that appropriate funding is allocated for pay progression at all levels.

In this academy teachers will be eligible for pay progression in line with the following:

#### **4.1 Pay Progression for Head Teacher**

For example: the Head Teacher must demonstrate sustained high quality of performance in respect of academy leadership and management and pupil progress, and is subject to a review of the totality of their performance as agreed with their appraiser(s) as part of their annual appraisal before any discretionary pay increases can be awarded.

Annual pay progression within the pay range for this post is not automatic. Any progression is normally by one point, but the Governing Body may consider movement by two points in exceptional circumstances, where all objectives have been exceeded or where performance has exceeded expectations as part of the appraisal review.

#### **Pay Progression for Deputy Head Teachers and Assistant Head Teachers**

The Deputy Head Teacher/Assistant Head Teacher must demonstrate sustained high quality of performance in respect of academy leadership and management and pupil progress, and is subject to a review of the totality of their performance as agreed with their appraiser as part of their annual appraisal before any discretionary pay increases can be awarded.

Annual pay progression within the pay range is not automatic. Any progression will normally be by one point, but the Governing Body may consider movement by two points in exceptional circumstances, where all objectives have been exceeded or where performance has exceeded expectations as part of the appraisal review.

#### **4.2 Pay Progression for Teachers on the Upper Pay Range**

For teachers on the Upper Pay Range, progression of one reference point is normally considered after two successful appraisals which demonstrate that the teacher is highly competent in all elements of the relevant standards; and the teacher's achievements and contribution to the school are substantial and sustained (see the paragraph entitled 'The Assessment' for appropriate definition of these terms).

Annual pay progression within the pay range for these posts is not automatic. The Resources Committee may consider progression of more than one reference point and/or progression after one year where performance has exceeded expectations for that level of post and/or where all objectives have been exceeded as part of the appraisal review.

#### **4.3 Pay Progression for Teachers on the Main Pay Range**

Pay progression takes into account the totality of a teacher's performance and not just whether s/he has met appraisal objectives. Progression depends on:



- Successfully meeting the relevant Teacher Standards.
- Demonstration, via the appraisal process, of a sustained level of performance that meets the academy's expectations for that level of post.

Annual pay progression within the pay range for these posts is not automatic. The Head Teacher may decide to award progression of one reference point for sustained, high quality performance in line with the academy's expectations where the above conditions have been satisfied.

Alternatively the Resources Committee may consider progression of more than one reference point where performance has exceeded expectations for that level of post and/or where all objectives have been exceeded as part of the appraisal review.

#### **4.4 Pay Progression for Unqualified Teachers**

Unqualified teachers must demonstrate sustained high quality of performance in respect of their agreed performance objectives and relevant standards.

Annual pay progression within the pay range for these posts is not automatic. The Head Teacher may decide to award one reference point for sustained, high quality performance in line with the academy's expectations where the above conditions have been satisfied. Alternatively the Resources Committee may consider progression of more than one reference point where performance has exceeded expectations for that level of post and/or where all objectives have been exceeded as part of the appraisal review.

### **5. Movement on to the Upper Pay Range**

#### **5.1 Applications and Evidence**

Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

Applications for movement on to the upper pay range will only be accepted once a year. The deadline for receipt of applications is 31 October in the relevant year.

Applications must be submitted to The Head Teacher.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. This academy will not be bound by any pay decision made by another school.

All applications should include the results of reviews or appraisals under the 2011 or 2012 regulations, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria). Applications should contain evidence from the previous two years in the form of completed appraisals.

Teachers who have been on long term absence will be considered for progression on to the upper pay range on the basis of the evidence that does exist, even though that may not be from consecutive review periods, provided it is sufficient to meet the criteria above.

Applications are required in writing to the Head Teacher on the academy's standards form which can be found on Appendix E of the Teacher Appraisal Policy.

## **5.2 The Assessment**

An application from a qualified teacher will be successful where the Appraiser is satisfied that:

- a) The teacher is highly competent in all elements of the relevant standards; and
- b) The teacher's achievements and contribution to the school are substantial and sustained.

For the purposes of this Pay Policy:

- 'highly competent' means: performance which is not only good but demonstrates that the teacher is able to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice;
- 'substantial' means: of real importance, validity or value to the school; plays a critical role in the life of the school; able to be a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning; and
- 'sustained' means: maintained continuously over a period of two school years.

The application will be assessed by the Head Teacher and the final ratification will be by the Resources Committee

## **5.3 Processes and Procedures**

From the point of receipt, an application will be assessed within 15 working days.

If successful, the applicant will receive a response to their application within 20 working days of the assessment and will move to the upper pay range from 1 September in the relevant year.

If unsuccessful, verbal confirmation of the decision will be given within 15 days of the assessment. Written feedback will be provided by the Head Teacher/ within 20 working days of the decision.

Any appeal against a decision not to move the teacher to the upper pay range will be considered in line with the pay appeal procedure in appendix 1 of this policy.

## **6. Allowances and Payments**

### **6.1 Safeguarded payments and allowances**

Safeguarding will apply up to a maximum of three years whenever a teacher faces a reduction in salary through no fault of their own in line with paragraph 4 of the 2013 Document.

Where a teacher has lost their post as a result of the closure or reorganisation of an establishment, discretionary safeguarding may be awarded in line with paragraph 34 of the 2013 Document.

## **6.2 Teaching and Learning Responsibility Payments (TLRs)**

TLRs are awarded to the holders in line with the paragraph 23 – 25 of the 2013 document.

Within this academy the values of the TLRs to be awarded are set out below:

TLR2s will be awarded to the following values:

TLR2-1 [£2,535] to the holder of the maths leader, literacy leader and the ICT leader posts

In recognition of the size of the school and the need to provide staff with management / personal development opportunities there will be one TLR2-1 Post kept vacant and filled annually on a secondment basis to meet the needs of the Academy. Teachers will be offered the opportunity to be seconded into this post with a return to their substantive teaching post at the end of the agreed period with no salary safeguarding being paid in relation to the cessation of the TLR.

TLR2-2 £4,035 to the holder of the Teacher with Whole School Management Responsibilities, which will include management of the school in the absence of the Senior Leadership Team.

## **6.3 Special Educational Needs Allowance**

A SEN allowance is no less than £2,001 and no more than £3,954.

The relevant body will award an SEN Allowance to a classroom teacher in line with paragraph 27 of the 2013 Document.

## **6.4 Additional Allowances for Unqualified Teachers**

The Committee may determine an additional allowance as it considers appropriate, where in the context of its staffing structure and Pay Policy a teacher has:

- a) taken on a sustained additional responsibility which is:
  - i. focused on teaching and learning; and
  - ii. requires the exercise of a teacher's professional skills and judgement
- b) qualifications or experience which bring added value to the role he/she is undertaking.

Where an unqualified teacher is in receipt of an additional allowance awarded under a previous document, the relevant body must re-determine that allowance in accordance with the above criteria.

Unqualified Teachers may not hold a TLR or SEN allowance.

## **6.5 Safeguarding for Unqualified Teachers**

Any safeguarded sum applied to an unqualified teacher will be paid in accordance with paragraph 29 of the STPCD 2013.

## **6.6 Additional Payments**

The Committee may not make such payments as they see fit to a teacher, including the Headteacher, in respect of:

- a) continuing professional development undertaken outside of the school day
- b) activities relating to the provision of initial teacher training as part of the ordinary conduct of the school
- c) participation in out-of-hours learning activity agreed between the Teacher and the Headteacher or, in the case of the Headteacher, between the Headteacher and the relevant body
- d) any additional responsibilities and activities due to, or in respect of the provision of services by the Head Teacher relating to the raising of educational standards to one or more additional schools.

## **6.7 Recruitment and Retention Incentives and Benefits**

The Governing Body will consider making appropriate payments or provide appropriate financial assistance, support or benefits to a teacher as considered necessary as an incentive for the recruitment of new teachers.

The Governing Body will specify clearly the basis on which such incentives may be paid, the duration of the payment and the review date after which it may be withdrawn.

A review of such payments will be made annually.

Recruitment awards will be considered where there has been a history of being unable to recruit candidates with suitable qualifications or experience into a specialist post. The rate of recruitment benefit will be determined by the Governing Body at the point of recruitment and will be awarded upon meeting all essential and desirable criteria of the person specification and be time limited for one year.

The Governing Body will pay retention awards of up to 2 leadership points for a maximum of 3 years for a member of the leadership team, as defined as head Teacher, Deputy Head Teacher and Assistant Head Teacher. The Governing Body has in the past found it difficult to recruit and retain leaders in an area of high housing cost and low employment opportunities. This may be extended in “exceptional circumstances.”

Other benefits payable, such as support for travel costs, care of dependants etc will not be paid.

## **6.8 Honoraria**

The Governing Body will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher. The Academy will, however, recognise payment of an honoraria of £100 to any teacher not paid on the leadership scale or support member of staff for participation or leadership of a residential visit with effect from September 2012. A residential visit is considered to be an off-site visit of two or more days, which includes supervision of children through the night. The residential visit must be authorised by the Head Teacher and the

Governing Body and the Resources Committee must authorise such payments prior to parent notification.

## **7. Part Time Teachers**

Teachers employed on an on-going basis but who work less than a full working day or week are deemed to be part time. The standard mechanism used to determine their pay will be based on the pro-rata comparison with the academy's timetabled teaching week for a full-time teacher in an equivalent post.

## **8. Short Notice / Supply Teachers**

Teachers who work on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers will be hourly paid and will have their salary calculated by dividing the annual salary by 1265 to arrive at the hourly rate.

Teachers should be paid for all the hours they are required to be on the premises. Allowance should be made for non-contact time. Before any supply teacher undertakes work, the number of hours for which they are to be paid will be agreed with the teacher.

When a supply teacher is employed to cover the same post for a continuous period of 4 weeks or more, he or she will be paid on the basis of 6.5 hours per day and may be expected to undertake the full range of duties of the teacher who is being replaced.

The academy will confirm with the supply teacher the hours to be worked and the teacher asked to sign to confirm for how many hours he or she will be paid and a written record maintained in case of a future query.

## **9. Pay Increases Arising from Changes to the Document**

All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time.

## **10. Pay Policy Relating to Support Staff**

School Support Staff are paid in line with the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service.

### **10.1 Job Evaluation**

The Job Evaluation Project began in May 2003 and was implemented in Community and Voluntary Controlled schools in April 2007.

Job evaluation has been carried out as a result of the national Single Status Agreement which requires all local authorities to pay equal pay for work of equal value and to ensure that pay and grading are fairly and appropriately implemented. To meet these requirements Devon County Council has used the GLPC (Greater London Provincial Council) Job Evaluation Scheme. The Academy has chosen to remain with this scheme for support staff.

Further information regarding Job Evaluation can be found at:

<http://staff.devon.gov.uk/jobevaluation.htm>.

In April 2011 Devon County Council passed a resolution that staff on grade F or more could not claim overtime and in normal circumstances the Academy will abide by this. In some circumstances, where an employee is required to work hours in excess of their contract, the Head teacher will consult the Resources Committee to reach a resolution. In a situation where the member of staff is the only person who has the expertise to carry out the required tasks and having exhausted all other options, the Resources Committee has the delegated powers to grant overtime payments for a temporary and defined period. The Academy should at all stages consult the employee and take advice so as not to compromise employment legislation.

All new or changed posts within the academy, which are under NJC 'Green Book' conditions of service, should be graded under the Job Evaluation Scheme.

For advice and guidance on changes to existing posts or new positions schools should consult the Job Evaluation procedures at: <http://staff.devon.gov.uk/ppgapjeevaluationofposts.htm>.

Academy Schools Governing Bodies are the employers of their staff and will determine whether to implement job evaluation within their school.

### Grading Schemes

A teaching assistant grading scheme is available for schools at:

<http://staff.devon.gov.uk/crtainfoguidance.doc>.

This document includes evaluated job descriptions and person specifications for Teaching Assistants, Cover Supervisors and Higher Level Teaching Assistants.

School Business Manager Information and Guidance is available for schools at:

<http://www.devon.gov.uk/sc-nov1044022.pdf>.

## Policy history

Policy Date	Summary of change	Contact	Version/ Implementation Date	Review Date

## Appendix 1: Pay Appeals Process

Any recommendations regarding pay should be clearly communicated and recorded on the Appraisal Report.

Where a teacher, including a Headteacher and/or any other teachers paid on the leadership scale (referred to as a 'teacher' for the purpose of the section) is dissatisfied with their pay recommendation, they should seek to resolve this by discussing the matter as part of the Appraisal Review process.

A record of this discussion should be made and appended to the teacher's Appraisal Report. The record should be provided to any party responsible for making the formal pay determination.

The timescales quoted in the following process can be varied by mutual agreement.

Where possible the timescales should allow for the appeals to be fully heard within and before the end of term.

### Formal Appeal Process

#### Stage One

A teacher may seek a review of any determination in relation to their pay or any other decision that affects their pay.

A formal pay appeal may be lodged for the following reasons:

- incorrect application of any provision of the STPCD or NJC terms and conditions
- failure to have proper regard for statutory guidance
- failure to take proper account of relevant evidence
- failure to take account of irrelevant or inaccurate evidence
- biased or otherwise unlawful discrimination against the teacher.

The teacher should set down in writing the grounds for requesting an appeal within 10 working days of the notification of the pay determination decision.

The person(s) who made the determination should convene a meeting, within 10 working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person.

A teacher's request to be accompanied by a work colleague or recognised Trade Union/Professional Association representative will not be unreasonably refused. A Human Resources Adviser may be present to provide professional guidance to the decision maker(s).

The timing and location of the formal meeting must be reasonable.

Following the meeting the teacher should be informed in writing of the decision and their right of appeal.

## Stage Two

If a teacher wishes to appeal against the decision made at stage one, they must notify **Chair Governors** in writing, within 10 working days of the written decision.

The appeal should be heard by a **Second Committee** who has not been involved in the original determination, normally within 20 working days of the receipt of the written appeal. Where it is determined that this will be a committee of governors, the school may wish to confirm the minimum amount of governors who can make such determination here]

The teacher will be given the opportunity to present their appeal in person. A teacher's request to be accompanied by a work colleague or recognised Trade Union/Professional Association representative will not be unreasonably refused.

The timing and location of the formal meeting must be reasonable. Five working days notice should be given of the appeal hearing. The notification of the appeal hearing will include:

- the date, time and place of the hearing
- the name(s) of the person(s) who will hear the case, and where appropriate the details of the Human Resources Adviser (HRA) who will respond to the appeal (the person or representative of the Committee who made the original decision)
- copies of documents and any other written material or evidence that is relevant
- the names of any witnesses to be called
- confirmation of the teacher's right to call witnesses
- the teacher's right to submit any documentation within three working days prior to the appeal hearing, to **Chair of Governors**
- a copy of the Pay Policy
- the fact that the appeal hearing may take place in the teacher's absence if they are unable to attend without a satisfactory explanation
- other than in exceptional circumstances, a teacher unable to attend due to illness, should arrange representation at the appeal hearing and/or provide written submissions to the appeal hearing.

An accurate account of the hearing must be made.

During the hearing, either side will be entitled to request an adjournment for consultation. Any reasonable request should be allowed. Witnesses will attend only for the part of the hearing where they are required to give evidence and answer questions.



No conclusion should be reached until representations from all parties have been taken into account. The decision will be given in writing and include detail of the evidence considered and the reasons for the decision.



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